

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Meridian Automotive Systems Shelbyville - Removal Polrep



EPA Region 5 Records Ctr.



362803

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region V

Subject: POLREP #3
Progress
Meridian Automotive Systems Shelbyville

Shelbyville, IN
Latitude: 39.5454600 Longitude: -85.7917300

To: Shelly Lam, U.S. Environmental Protection Agency
Verneta Simon, U.S. Environmental Protection Agency
Jeff Bryniarski, Weston Solutions
Linda Nachowicz, U.S. Environmental Protection Agency
Jason El-Zein, U.S. Environmental Protection Agency
Charlie Gebien, U.S. Environmental Protection Agency
Mark Durno, U.S. Environmental Protection Agency
Mila Bensing, U.S. Environmental Protection Agency
David Chung, U.S. Environmental Protection Agency
Tim Johnson, IDEM
Dan Chesterson, IDEM
Bill Myers, IDEM
Tony Logan, City of Shelbyville
Harry Atkinson, IDEM
Max Michael, IDEM
Ken McDaniel, IDEM
Carl Norman, U.S. Environmental Protection Agency
Jeff Cahn, U.S. Environmental Protection Agency
Sally Jansen, U.S. EPA Region V
Rick Mehl, Weston Solutions
Andrea Robertson, Indiana Finance Authority
Kevin Hughes, PE Engineers

From: Shelly Lam and Verneta Simon, On-Scene Coordinator

Date: 4/26/2010

Reporting Period: 12/14/2009-4/14/2010

1. Introduction

1.1 Background

Site Number: B5UX **Contract Number:** EP-55-08-02

D.O. Number:	0043	Action Memo Date:	1/11/2010
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	11/30/2009	Start Date:	11/25/2009
Demob Date:		Completion Date:	
CERCLIS ID:		RCRIS ID:	
ERNS No.:		State Notification:	IDEM Notified
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

Inactive Production Facility

1.1.2 Site Description

See POLREPs #1 and 2.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

See POLREP #1

2.1.2 Response Actions to Date

On March 25, 2010, this facility was purchased by Escalade Group, LLC (Escalade), which is owned by Mr. James Keith Sharp of Huntsville, Alabama. On March 26, OSC Lam and Shelbyville Fire Department visited this facility and determined Escalade had been working in the building 3 weeks prior to March 25, and had sub-leased space to Wal-Mart. Shelbyville Fire Department cited the facility with 19 fire code violations. During the visit, OSC Lam noted lack of security at the facility, the presence of a child and other workers who appeared to be unaware of the presence of hazardous substances on-site, and that hazardous substances, pollutants, and contaminants previously staged by EPA had been relocated throughout the facility and were improperly staged.

OSC Lam sent Mr. Sharp a letter detailing immediate steps that Escalade should take and requested written access. On March 30, OSC Lam, Shelbyville Fire Department, and IDEM met with Mr. Sharp at the facility and re-iterated actions to be taken at the Site regarding staging and disposal of the waste.

On April 13, 2010, OSC Lam and START met with Mr. Sharp and representatives of Escalade at the site to oversee the proper staging and segregation of drums. EPA conducted a drum inventory and compared it to the original drum log compiled during the site assessment. Approximately 5 drums of rags and discarded personal protective equipment (PPE) on the original inventory could not be accounted for. All drums of corrosives, flammables, oil, and product were accounted for.

On April 14, 2010, Safety Kleen transported approximately 10,000 gallons of oil off-site to their facility in East Chicago, Indiana for recycling.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

On April 5, 2010, a general notice of potential liability and request for information were sent via e-mail and UPS to Mr. Sharp, which required a verbal response by April 7 and also included the two former Meridian facilities in Grabill, Indiana and Huntington, Indiana. Mr. Sharp, Dale W. Eikenberry, Mr. Sharp's Counsel, U.S. EPA, and the Shelbyville Fire Department had a conference call in which Mr. Eikenberry stated that his client was not ready to respond since he was in the process of trying to retain an attorney that had Federal environmental experience. Therefore, U.S. EPA granted Mr. Sharp's request for more time to respond. Specifically, Mr. Sharp's response to our request for information is due by April 20, 2010. Currently, Safety Kleen is assessing this facility. On April 9, IDEM, U.S. EPA, and the Indiana Attorney General had a conference call to update each entity about their respective activities.

See POLREP # 1. On March 25, 2010, this facility was purchased by Escalade Group, LLC (Escalade), which is owned by Mr. James Keith Sharp of Huntsville, Alabama. On March 26, OSC Lam and Shelbyville Fire Department visited this facility and determined Escalade had been working in the building 3 weeks prior to March 25, and had sub-leased space to Wal-Mart. Shelbyville Fire Department cited the facility with 19 fire code violations. During the visit, OSC Lam noted lack of security at the facility, the presence of a child and other workers who appeared to be unaware of the presence of hazardous substances on-site, and that hazardous substances, pollutants, and contaminants previously staged by EPA had been relocated throughout the facility and were improperly staged. OSC Lam sent Mr. Sharp a letter detailing immediate steps that Escalade should take and requested written access. On March 30, OSC Lam, Shelbyville Fire Department, and IDEM met with Mr. Sharp at the facility and re-iterated actions to be taken at the Site regarding staging and disposal of the waste. On April 13, 2010, OSC Lam and START met with Mr. Sharp and representatives of Escalade at the site to oversee the proper staging and segregation of drums. EPA conducted a drum inventory and compared it to the original drum log compiled during the site assessment. Approximately 5 drums of rags and discarded personal protective equipment (PPE) on the original inventory could not be accounted for. All drums of corrosives, flammables, oil, and product were accounted for.

2.2 Planning Section

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities

EPA will continue to coordinate with Mr. Sharp regarding the off-site disposal of waste.

2.2.1.2 Next Steps

Safety Kleen is anticipated to remove drums and containers of hazardous waste on April 19, 2010.

2.2 Issues

None anticipated at this time.

2.3 Logistics Section

2.4 Finance Section

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$60,000.00	\$50,929.24	\$9,070.76	15.12%
START	\$20,000.00	\$0.00	\$20,000.00	100.00%
Intramural Costs				
Total Site Costs	\$80,000.00	\$50,929.24	\$29,070.76	36.34%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Safety Officer

Not applicable.

2.6 Liaison Officer

Not applicable.

2.7 Information Officer

2.7.1 Public Information Officer

Not applicable.

2.7.2 Community Involvement Coordinator

Not applicable.

3. Participating Entities

3.1 Unified Command

Not applicable.

3.2 Cooperating and Assisting Agencies

Indiana Department of Environmental Management (IDEM)
Shelbyville Fire Department (SFD)

4. Personnel On Site

5. Definition of Terms

DOT – Department of Transportation
ERRS – Emergency and Rapid Response Services
IDEM – Indiana Department of Environmental Management
MAS – Meridian Automotive Systems
OSC – On-Scene Coordinator
RCRA – Resource Conservation and Recovery Act
SFD – Shelbyville Fire Department
START – Superfund Technical Assessment and Response Team
U.S. EPA – United States Environmental Protection Agency

6. Additional sources of information

6.1 Internet location of additional information/reports

For additional information, please refer to "Documents" on www.epaosc.org/.

6.2 Reporting Schedule

The next PolRep will be submitted at a date to be determined.

7. Situational Reference Materials

For additional information, please refer to "Documents" on www.epaosc.org/.